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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/915,203	WATLER ET AL.	
	Examiner	Art Unit	
	Willie J. Daniel, Jr.	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 23 December 2004. **Claims 1-45** are now pending in the present application.

Oath/Declaration

2. The objection to the oath/declaration is withdrawn.

Power of Attorney

3. The objection to the power of attorney is withdrawn, as the proposed power of attorney correction is approved.

Drawings

4. The drawings are objected to because of **Figs. 1-4**. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application

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must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The objection to the abstract is withdrawn, as the proposed abstract correction is approved.

Claim Objections

6. **Claims 22** and **26** are objected to because of the following informalities:
 - a. Regarding **Claim 22**, applicant labeled the claim as "Original" instead of "Currently Amended". The claim has been amended on line 2 of the claim (see pg. 7). The Examiner interprets as "Currently amended".
 - b. Regarding **Claim 26**, applicant labeled the claim as "Original" instead of "Currently Amended". The claim has been amended on line 2 of the claim (see pg. 7-8). The Examiner interprets as "Currently amended".
7. Appropriate correction is required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 6-7, 9, 25-26, 29, 33 are rejected under 35 U.S.C. 102(e) as being anticipated by **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**).

Regarding **Claim 1**, Carlsson discloses a system for handling a plurality of accounts, comprising:

a cellular telephone terminal (145) which reads on the claimed “wireless device” having an account management application to internally store and manage a plurality of accounts (e.g., subscription accounts) (see col. 3, lines 21-31, 34-35; Fig. 5), where the user terminal is able to select between different user accounts for charging of subscription account usage to the different accounts in which the account management application would be inherent for the user to change between accounts for the charging of each account;

wherein said account management application is capable of selectively charging one of the plurality of internally stored accounts when said wireless device (145) is used (see col. 3, lines 16-31, 34-38; col. 5, line 43 - col. 6, line 5; Figs. 5-6), where the user of the terminal is able to select between the different accounts for charging of usage; and

Regarding **Claim 2**, Carlsson discloses the system according to claim 1 further comprising:

a user interface to allow a user to determine which of said internally stored accounts should be charged (see col. 3, lines 21-31; col. 5, line 36 - col. 6, line 23; Figs. 5-6), where the user of the terminal can change between the different subscriptions for billing.

Regarding **Claim 3**, Carlsson discloses the system according to claim 1 wherein the account management application uses an algorithm to automatically select one of the plurality of accounts to be charged (see col. 3, lines 21-31; col. 5, line 41 - col. 6, line 23; Figs. 5-6), where the subscription accounts changes automatically according to a specific schedule of time and day in which the algorithm is inherent for selecting and changing between the accounts.

Regarding **Claim 6**, Carlsson discloses the system according to claim 1 wherein selection of which account is to be charged among said plurality of accounts depends on origin or destination of the communication (see col. 3, lines 21-31; col. 5, lines 14-34; col. 5, line 46 - col. 6, line 23; Figs. 4-6), where the user of the terminal is charged for making or receiving a call.

Regarding **Claim 7**, Carlsson discloses the system according to claim 1 wherein the wireless device is a mobile phone (145) (see Fig. 2).

Regarding **Claim 9**, Carlsson discloses the system according to claim 1 wherein the account management application resides on an internal memory in the wireless device (see col. 3, lines 16-31; Figs. 5-6), where the user is able to change the between the different subscriptions in which the account management application and memory would be inherent.

Regarding **Claim 25**, Carlsson discloses a mobile phone (145) comprising:

a private subscription which reads on the claimed “first line” and a business subscription which reads on the claimed “second line” to both make and receive calls (see col. 3, lines 16-31), where the user of the terminal is able to have separate subscriptions for making and receiving calls; and

an account management application residing on the mobile phone and configured to store and manage a plurality of internally stored accounts (see col. 3, lines 16-31; Figs. 5 and 6), where the user of the terminal has different subscriptions in which the account management application would be inherent;

wherein calls made or received via the first line is charged to one of the plurality of accounts and calls made or received via the second line is charged to another one of the plurality of accounts (see col. 3, lines 16-31), where the calls are charged to the private or business subscription.

Regarding **Claim 26**, Carlsson discloses the mobile phone of claim 25 further comprising:

a user interface to allow a user to selectively determine how each call made or received by the mobile phone (145) is to be charged to one of the plurality of accounts (see col. 3, lines 21-31; col. 5, line 36 - col. 6, line 23; Figs. 5-6), where the user of the terminal can change between the different subscriptions for billing.

Regarding **Claim 29**, this claim is rejected for the same reasons set forth above in Claim 9.

Regarding **Claim 33**, Carlsson discloses of the mobile phone of claim 25 wherein the calls made or received via the first line include business calls and the calls made or received

via the second line include personal calls (see col. 3, lines 16-31), where the user of the terminal has subscription accounts for charging calls to either a private and personal subscription.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5, 10-11, 15-18, 20-22, 27, 30-31, 35-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**) in view of **McGregor et al.** (hereinafter McGregor) (**US 5,577,100**).

Regarding **Claim 4**, Carlsson discloses of wherein the account management application functions in cooperation with the accounting application to manage the plurality of accounts (see col. 3, lines 16-31; col. 6, lines 61-66; Figs. 5-6), where the functions allows the user to change the terminal between the accounts are provided in which the account management application and accounting application is inherent for the user to be billed. Carlsson fails to disclose having the feature an accounting application to calculate appropriate charges for use of the wireless device. However, the examiner maintains that the feature an accounting application to calculate appropriate charges for use of the wireless device was well known in the art, as taught by McGregor.

In the same field of endeavor, McGregor teaches the feature an accounting application to calculate appropriate charges for use of the mobile phone unit (30) which reads on the claimed "wireless device" (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 12, lines 24-29; col. 17, lines 1-30; col. 17, line 65 - col. 18, line 14), where the mobile phone has an internal accounting application for calculating charges.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the feature an accounting application to calculate appropriate charges for use of the wireless device, in order for the mobile phone to track and log usage for billing, as taught by McGregor.

Regarding **Claim 5**, Carlsson discloses the system according to claim 1 wherein said wireless device is capable of making or receiving a communication (see col. 3, lines 21-31; col. 5, line 46 - col. 6, line 23), where the user of the terminal is charged for the subscription using telephone calls. Carlsson fails to disclose having the feature data communication. However, the examiner maintains that the feature data communication was well known in the art, as taught by Carlsson.

McGregor further discloses the feature data transfer calls which reads on the claimed "data communication" (see col. 17, lines 6-8), where the algorithm can charge the phone (30) for calls in which data is transferred.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the feature data communication, in order to have a mobile phone unit that includes an internal

accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 10**, Carlsson discloses of managing separate subscriptions (see col. 3, lines 16-31), where the user can charge separate accounts. Carlsson fails to disclose having the feature wherein the accounting application resides on an internal memory in the wireless device. However, the examiner maintains that wherein the accounting application resides on a memory residing in the wireless device was well known in the art, as taught by McGregor.

McGregor further discloses of wherein the accounting application resides on a ROM (58) which reads on the claimed "internal memory" in the wireless device (30) (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, lines 1-8), where the mobile phone has an internal accounting application.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor wherein the accounting application resides on an internal memory in the wireless device, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 11**, the combination of Carlsson and McGregor discloses every limitation claimed, as applied above (see claim 4), in addition Carlsson further discloses the system according to claim 1 wherein the accounting application resides on a network (see col. 3, lines 16-31,49-53; col. 3, line 45 - col. 4, line 12; col. 6, line 62 - col. 7, line 5; Figs. 2,

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5, and 6), where the HLR of the network is able to monitor usage of telecommunication services in which the accounting application is inherent.

Regarding **Claim 15**, Carlsson discloses of a wireless device (145) capable of communicating within a network (see Figs. 2-4), comprising:

an account management application residing on the wireless device (145) to store and maintain a plurality of accounts (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 23), where the user of the terminal can change between the different accounts in which the account management application is inherent;

a user interface to allow a user to selectively determine which one of the plurality of internally stored accounts will be charged when said wireless device (145) is used (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 23; col. 6, line 62 - col. 7, line 5; Figs. 5-6), where the user of the terminal can change between the different accounts for billing in which the user interface is inherent;

wherein the account management application and the accounting application function in cooperation with each other in order to maintain and appropriately charge the plurality of internally stored accounts (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 23; col. 6, line 62 - col. 7, line 5), where the different accounts are charged for usage of the telecommunication services. Carlsson fails to disclose having the feature an accounting application to calculate charges attributable to use of said wireless device. However, the examiner maintains that the feature an accounting application to calculate charges attributable to use of said wireless device was well known in the art, as taught by McGregor.

McGregor further discloses the feature an accounting application to calculate charges attributable to use of said mobile phone unit (30) which reads on the claimed "wireless device" (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, 1-8), where the mobile phone has an internal accounting application for calculating charges.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the feature an accounting application to calculate charges attributable to use of said wireless device, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 16**, Carlsson discloses the system according to claim 1 wherein said wireless device is capable of making or receiving a communication (see col. 3, lines 21-31; col. 5, line 46 - col. 6, line 23), where the user of the terminal is charged for the subscription using telephone calls. Carlsson fails to disclose having the feature data communication. However, the examiner maintains that the feature data communication was well known in the art, as taught by Carlsson.

McGregor further discloses the feature data transfer calls which reads on the claimed "data communication" (see col. 17, lines 6-8), where the algorithm can charge the phone (30) for calls in which data is transferred.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the feature data communication, in order to have a mobile phone unit that includes an internal

accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 17**, the combination of Carlsson and McGregor discloses everything claimed, as applied above (see claim 15), in addition Carlsson further discloses of wherein selection of which account is to be charged among said plurality of accounts depends on origin or destination of the communication (see col. 3, lines 21-31; col. 5, lines 14-34; col. 5, line 46 - col. 6, line 23; Figs. 4-6), where the user of the terminal is charged for making or receiving a call.

Regarding **Claim 18**, the combination of Carlsson and McGregor discloses everything claimed, as applied above (see claim 15), in addition Carlsson further discloses of wherein the wireless device is a mobile phone (145) (see Fig. 2).

Regarding **Claim 20**, the combination of Carlsson and McGregor discloses everything claimed, as applied above (see claim 15), in addition Carlsson further discloses wherein the account management application resides on an internal memory in the wireless device (see col. 3, lines 16-31; Figs. 5-6), where the user is able to change the between the different subscriptions in which the account management application and memory would be inherent.

Regarding **Claim 21**, the combination of Carlsson and McGregor discloses everything claimed, as applied above (see claim 15), in addition Carlsson further discloses wherein the accounting application resides on a network (see col. 3, lines 16-31, 49-53; col. 3, line 45 - col. 4, line 12; col. 6, line 62 - col. 7, line 5; Figs. 2, 5, and 6), where the HLR of the

network is able to monitor usage of telecommunication services in which the accounting application is inherent.

Regarding **Claim 22**, Carlsson discloses of having an account management application (see col. 3, lines 16-31; Figs. 5-6), where the subscriber of the terminal has different subscription accounts in which the user is billed. Carlsson fails to disclose having the feature wherein the account management application allows a user to transfer balances among the plurality of accounts. However, the examiner maintains that the feature wherein the account management application allows a user to transfer balances among the plurality of accounts was well known in the art, as taught by McGregor.

McGregor further discloses wherein the account management application is configured so as to allow a user to transfer balances amongst the plurality of accounts (see col. 4, lines 41 - col. 5, line 17), where the mobile phone unit performs a money transfer to an account from another account when the funds are exhausted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor wherein the account management application is configured so as to allow a user to transfer balances amongst the plurality of accounts, in order for the mobile phone unit to perform a money transfer when funds are exhausted in an account, as taught by McGregor.

Regarding **Claim 27**, Carlsson discloses of charging calls made or received by the mobile phone (145) (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 23), where the user of the phone is charged for calls made or received to the associated subscription. Carlsson fails to disclose having an accounting application to calculate charges for each call made or

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received by the mobile phone. However, the examiner maintains that accounting application to calculate charges for each call made or received by the mobile phone was well known in the art, as taught by McGregor.

McGregor further discloses of accounting application to calculate charges for each call made or received by the mobile phone (30) (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, 1-8), where the mobile phone has an internal accounting application for calculating charges.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have an accounting application to calculate charges for each call made or received by the mobile phone, in order for the mobile phone to track and log usage for billing, as taught by McGregor.

Regarding **Claim 30**, this claim is rejected for the same reasons set forth above in Claim 10.

Regarding **Claim 31**, this claim is rejected for the same reasons set forth above in Claim 11.

Regarding **Claim 35**, Carlsson discloses a method for tracking account activities relating to use of a wireless device (145); comprising:

selecting one of a plurality of accounts to be charged for use of a wireless device, wherein the plurality of accounts are internally stored and maintained on the wireless device (see col. 3, lines 16-31), where the user is able to have multiple accounts charged in which the terminal is able to switch between the different accounts;

causing the wireless device (145) to be used (see col. 3, lines 16-31; col. 5, lines 43 - col. 6, line 23; Figs. 5-6), where the wireless device is used for calls. Carlsson fails to disclose having the features calculating charges to be charged against the selected account when the wireless device is used; adjusting the selected account using the calculated charges.

However, the examiner maintains that the features calculating charges to be charged against the selected account when the wireless device is used; adjusting the selected account using the calculated charges was well known in the art, as taught by McGregor.

McGregor further discloses the features of calculating charges to be charged against the selected account when the wireless device (30) is used (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, lines 1-8); and adjusting the selected account using the calculated charges (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, lines 1-8)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the features calculating charges to be charged against the selected account when the wireless device is used; adjusting the selected account using the calculated charges, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 36**, the combination of Carlsson and McGregor discloses everything claimed, as applied above (see claim 35), in addition Carlsson further discloses wherein the step of selecting one of the plurality of accounts further comprises: allowing a

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user to select one of the plurality of accounts via a user interface (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 5; col. 6, line 62 - col. 7, line 5; Figs. 5-6), where the user of the terminal can change between the different accounts for billing in which the user interface is inherent.

Regarding **Claim 37**, Carlsson discloses of charging subscription accounts for services (see col. 4, lines 16-31), where the user has subscriptions that are billed for usage. Carlsson fails to disclose having the feature calculating charges to be applied to the selected account is done through use of an accounting application. However, the examiner maintains that the feature calculating charges to be applied to the selected account is done through use of an accounting application was well known in the art, as taught by McGregor.

McGregor further discloses of calculating charges to be paid for the billable operation is performed by an accounting application (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, lines 1-30; col. 12, lines 24-29), where the mobile phone has an internal accounting application for calculating charges.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the feature calculating charges to be applied to the selected account is done through use of an accounting application, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 38**, the claim is rejected for the same reasons set forth above in Claim 10.

Regarding **Claim 39**, the claim is rejected for the same reasons set forth above in Claim 21.

Regarding **Claim 40**, the claim is rejected for the same reasons set forth above in Claim 18.

Regarding **Claim 41**, the claim is rejected for the same reasons set forth above in Claim 16.

Regarding **Claim 42**, Carlsson discloses the method according to claim 41 wherein the step of selecting one of a plurality of accounts to be charged further comprises:

identifying on origin or destination of the communication (see col. 3, lines 21-31; col. 5, lines 14-34; col. 5, line 46 - col. 6, line 23; Figs. 4-6), where the user of the terminal is charged for making or receiving a call;

selecting the one of the plurality of accounts to be charged based the identified origin or destination of the voice or data communication (see col. 3, lines 21-31; col. 5, lines 14-34; col. 5, line 46 - col. 6, line 23; Figs. 4-6), where the user of the terminal is charged for making or receiving a call. Carlsson fails to disclose having the feature data communication. However, the examiner maintains that the feature data communication was well known in the art, as taught by Carlsson.

McGregor further discloses the feature data transfer calls which reads on the claimed "data communication" (see col. 17, lines 6-8), where the algorithm can charge the phone (30) for calls in which data is transferred.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the

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feature data communication, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 43**, Carlsson discloses of use of said wireless device (145) is restricted (see col. 6, lines 19-24), where the user of the phone is restricted by parameters such as local calls or toll-free numbers. Carlsson fails to disclose having the features wherein one of said internal accounts has a credit limit and when the credit limit is exceeded. However, the examiner maintains that the features wherein one of said internal accounts has a credit limit and when the credit limit is exceeded was well known in the art, as taught by McGregor.

McGregor further discloses the features wherein one of said internal accounts has a credit limit (see col. 4, lines 41-49), where the mobile phone continues to operate until the money of the account is exhausted, and

when the credit limit is exceeded (see col. 4, lines 41-49), where the mobile phone continues to operate until the money of the account is exhausted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the features wherein one of said internal accounts has a credit limit and when the credit limit is exceeded, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 44**, Carlsson discloses of use of said wireless device (145) is restricted (see col. 6, lines 19-24), where the user of the phone is restricted by parameters such as local calls or toll-free numbers. Carlsson fails to disclose having the features wherein one of said internal accounts has a prepaid amount and when the credit limit is exhausted. However, the examiner maintains that the features wherein one of said internal accounts has a prepaid amount and when the credit limit is exhausted was well known in the art, as taught by McGregor.

McGregor further discloses the features wherein one of said internal accounts has a credit limit (see col. 4, lines 41-56), where the mobile phone continues to operate until the money of the account is exhausted, and

when the credit limit is exhausted (see col. 4, lines 41-56), where the mobile phone continues to operate until the money of the account is exhausted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the features wherein one of said internal accounts has a prepaid amount and when the credit limit is exhausted, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Regarding **Claim 45**, Carlsson discloses of a method for tracking account activities made by a mobile phone having a first line and a second line both configured to make and receive calls, comprising:

assigning a first internally stored account to calls made or received via the first line (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 5);

assigning a second internally stored account to calls made or received via the second line, wherein the first and second accounts are maintained on the mobile phone (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 5);

making or receiving a call via either the first line or the second line (see col. 3, lines 16-31; col. 5, line 43 - col. 6, line 5). Carlsson fails to disclose having the features calculating charges to be paid for the call; and adjusting either the first account or the second account based on the calculated charges depending on which one of the first and second lines the call is made or received. However, the examiner maintains that the features calculating charges to be paid for the call; and adjusting either the first account or the second account based on the calculated charges depending on which one of the first and second lines the call is made or received was well known in the art, as taught by McGregor.

McGregor further discloses the features of

calculating charges to be paid for the call (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, 1-8), where the accounting application monitors usage for billing; and

adjusting either the first account or the second account based on the calculated charges depending on which one of the first and second lines the call is made or received (see abstract; col. 4, lines 41-49; col. 6, lines 31-39; col. 17, 1-8), where the mobile phone has an internal accounting application for calculating charges which is updated on the fly as calls are made.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and McGregor to have the features calculating charges to be paid for the call; and adjusting either the first account or the second account based on the calculated charges depending on which one of the first and second lines the call is made or received, in order to have a mobile phone unit that includes an internal accounting for internal calculation of communication charges in real-time or on the fly, as taught by McGregor (see col. 2, lines 12-22).

Claims 8 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**) in view of **Julin** (**US 6,212,372 B1**).

Regarding **Claim 8**, Carlsson discloses of having an account management application (see col. 3, lines 16-31), where the user is able to change between the different subscriptions in which the account management application is inherent. Carlsson fails to disclose wherein the account management application resides on a smart card attachable to the wireless device. However, the examiner maintains that wherein the account management application resides on a smart card attachable to the wireless device was well known in the art, as taught by Julin.

In the same field of endeavor, Julin discloses of wherein the account management application resides on a SIM card which reads on the claimed "smart card" attachable to the mobile station which reads on the claimed "wireless device" (see col. 3, lines 10-21; col. 4, line 56 - col. 5, line 5; col. 6, lines 1-23; Figs. 1, 2, 5 "ref. 40" and 6), where the SIM card is inserted in the mobile station which allows the subscriber to change between accounts.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and Julin to have wherein the account management application resides on a smart card attachable to the wireless device, in order to have a subscriber identity module (SIM) card that is inserted in the mobile station, as taught by Julin.

Regarding **Claim 28**, this claim is rejected for the same reasons set forth above in Claim 19.

Claims 12 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**) in view of **Vazvan (WO 97/45814)**.

Regarding **Claim 12**, Carlsson discloses of having an account management application (see col. 3, lines 16-31; Figs. 5-6), where the subscriber of the terminal has different subscription accounts in which the user is billed. Carlsson fails to disclose wherein the account management application is configured so as to allow a user to transfer balances amongst the plurality of accounts. However, the examiner maintains that wherein the account management application is configured so as to allow a user to transfer balances amongst the plurality of accounts was well known in the art, as taught by Vazvan.

In the same field of endeavor, Vazvan discloses wherein the account management application is configured so as to allow a user to transfer balances amongst the plurality of accounts (see pg. 4, lines 24-38; pg. 12, lines 3-18; Figs. 6 and 9), where the mobile wallet phone (MWP) can send/receive or transfer electronic money or telecash between accounts to pay bills.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson and Vazvan wherein the account management application is configured so as to allow a user to transfer balances amongst the plurality of accounts, in order for the user of the mobile wallet phone to transfer electronic money or telecash between accounts for bill payment, as taught by Vazvan.

Regarding **Claim 34**, the claim is rejected for the same reasons set forth above in Claim 12.

Claims 13-14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Carlsson et al.** (hereinafter Carlsson) (US 6,026,291) in view of well known prior art (MPEP 2144.03).

Regarding **Claim 13**, Carlsson discloses of having a plurality of accounts including a postpaid account (see col. 3, lines 21-31), where the subscriptions are charged for billing to the particular account in which the pay being postpaid would be inherent. Carlsson fails to disclose wherein the plurality of accounts includes a prepaid account. However, the examiner takes official notice of the fact that it was well known in the art to provide a prepaid account.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Carlsson by specifically providing wherein the plurality of accounts includes a prepaid account.

Regarding **Claim 14**, Carlsson discloses of having wherein the plurality of accounts (see col. 3, lines 16-31; col. 5, line 46 - col. 6, line 23; Figs. 5-6), where the user of the

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terminal has multiple accounts that are billed for usage of services. Carlsson fails to disclose wherein at least one of the plurality of accounts has a usage limit; and wherein the ability of the user to use the wireless device is restricted when the usage limit is exceeded. However, the examiner takes official notice of the fact that it was well known in the art to have the feature of wherein at least one of the plurality of accounts has a usage limit; and wherein the plurality of billable operations performable by the wireless device is restricted when the usage limit is exceeded.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Carlsson by specifically providing of wherein at least one of the plurality of accounts has a usage limit; and wherein the plurality of billable operations performable by the wireless device is restricted when the usage limit is exceeded.

Regarding **Claim 32**, this claim is rejected for the same reasons set forth above in Claim 13.

Claim 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**) in view of **McGregor et al.** (hereinafter McGregor) (**US 5,577,100**) as applied to claim 15 above, and further in view of well known prior art (**MPEP 2144.03**).

Regarding **Claims 23-24**, these claims are rejected for the same reasons set forth above in Claims 13-14.

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Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**) and **McGregor et al.** (hereinafter McGregor) (**US 5,577,100**) as applied to claim 15 above, and further in view of **Julin** (**US 6,212,372 B1**).

Regarding **Claim 19**, the combination of Carlsson and McGregor discloses everything claimed, as applied above (see claim 15), in addition Carlsson further discloses of having an account management application (see col. 3, lines 16-31), where the user of the terminal can change between different accounts in which the account management application would be inherent. The combination of Carlsson and McGregor fails to disclose wherein the account management application resides on a smart card attachable to the wireless device. However, the examiner maintains that wherein the account management application resides on a smart card attachable to the wireless device was well known in the art, as taught by Julin.

Julin further discloses of wherein the account management application resides on a SIM card which reads on the claimed "smart card" attachable to the mobile station which reads on the claimed "wireless device" (see col. 3, lines 10-21; col. 4, line 56 - col. 5, line 5; col. 6, lines 1-23; Figs. 1, 2, 5 "ref. 40", and 6), where the SIM card is inserted in the mobile station which allows the subscriber to change between accounts.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carlsson, McGregor, and Julin to have wherein the account management application resides on a smart card attachable to the

wireless device, in order to have a subscriber identity module (SIM) card that is inserted in the mobile station, as taught by Julin.

Response to Arguments

10. Applicant's arguments filed 23 December 2004 have been fully considered but they are not persuasive.

Examiner respectfully disagrees with applicant's arguments as the applied reference(s) provide more than adequate support and to further clarify (see the above claims and comments in this section).

11. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory

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period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WJD,JR
02 June 2005

Marsha D Banks-Harold
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